



VOSH PROGRAM DIRECTIVE: 02-001E

ISSUED: 19 May 2010

SUBJECT: VOSH Field Operations Manual (FOM) - **CHANGE 9**

A. Purpose.

This Directive officially incorporates Change 9 of the VOSH Field Operations Manual (FOM) into the Program Directive System. The FOM was completely revised and initially issued with an effective date of 1 January 2002 and replaced the 1997 FOM.

This Program Directive is an internal guideline, not a statutory or regulatory rule, and is intended to provide instructions to VOSH Personnel regarding internal operation of the Virginia Occupational Safety and Health Program and is solely for the benefit of the program. This document is not subject to the Virginia Register Act or the Administrative Process Act; it does not have general application and is not being enforced as having the force of law.

B. Scope.

This Directive applies VOSH-wide. Since the VOSH FOM was previously distributed, **only this page change is being distributed at this time.**

C. References.

OSHA Instruction CPL 2.45B (6/15/89), the revised federal FOM.
OSHA Instruction CPL 2.45B CH-1 (12/31/90).
OSHA Instruction CPL 2.45B CH-2 (3/1/91).
OSHA Instruction CPL 2.45B CH-3 (6/15/92).
OSHA Instruction CPL 2.45B CH-4 (12/13/93).
OSHA Instruction CPL 2.103 (9/26/94).

D. Cancellation.

VOSH Program Directive 02-001D (1 April 2003).

E. Action.

The Directors and Managers shall assure that the change contained in this revision to the VOSH FOM is adhered to by VOSH personnel.

F. Effective Date.

19 May 2010

G. Expiration Date.

Not Applicable.

H. Document Background.

On August 2, 1977, VOSH submitted a compliance manual for safety and health compliance officers. By letters dated November 20, 1978 and August 2, 1979, VOSH informed federal OSHA that it would adopt and implement federal OSHA's Field Operations Manual and Industrial Hygiene Field Operations Manual. VOSH adopted subsequent federal changes to these manuals by letters dated August 26, 1981, February 9, 1984, and June 18, 1984.

On July 30, 1984, VOSH submitted to federal OSHA a completely revised FOM reflecting changes to the federal manual through June 1, 1984, with only minor changes being made to accommodate Virginia procedures and terminology.

The VOSH FOM was revised on May 20, 1986 and incorporated administrative and procedural changes which resulted from the merging of the Bureau of Occupational Health of the Virginia Department of Health into the Department of Labor and Industry. On March 1, 1991, July 1, 1997, and again on January 1, 2002, VOSH completed a comprehensive redrafting of the FOM.

This Directive, 02-001E, is the ninth subsequent change and is based on VOSH management personnel input in regard to general inspection scheduling.

I. Summary of Change.

The FOM contains VOSH internal operating procedures. It contains guidelines for writing case narratives, scheduling inspections, conducting inspections, preparing citations, assessing penalties and other matters related to the operation of the VOSH program.

This change (#9) deletes the following note in Section D.2.a.(1) of Chapter I of the VOSH FOM:

- (1) Establishment Lists.** The Directors of Occupational Safety and Health Compliance will provide a series of establishment lists for use by VOSH in programming inspections. These lists may be provided electronically, when needed.

~~*NOTE: Establishments showing ten or fewer employees (unless they are part of a larger employer) will be deleted from establishment lists provided by the Program Director.*~~

Courtney M. Malveaux
Commissioner

Attachment: Page change for VOSH FOM Chapter I, pages 25 and 26. Copies will be distributed to VOSH Regional Directors and Compliance Managers for distribution to staff.

Distribution: Commissioner of Labor and Industry
Assistant Commissioner - Programs
Directors and Managers
VOSH Compliance Staff
Cooperative Services Staff
IMIS and Legal Support Staff
OSHA Regional Administrator, Region III
OSHA Regional Office, Norfolk

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D. 2. Guidelines and Procedures. Establishments which appear on both the safety and health inspection registers shall be scheduled for a joint safety/health inspection whenever possible. Programmed inspections may also be conducted jointly by both safety and health personnel whenever resources are available and it is likely, based on experience in inspecting similar workplaces, that both safety and health hazards exist to a significant degree. If an inspection is begun as safety only or as health only but the CSHO determines during the course of the inspection that it should be expanded, the CSHO shall contact the Compliance Manager. A decision will then be made as to whether the inspection should be expanded and, if so, to what extent. The decision may also be, based on resource availability, to handle the information as a CSHO referral for inspection at a later time.

a. Inspection Scheduling for General Industry (Safety and Health). Programmed safety and health inspections of private and public sector establishments shall be selected and assigned in accordance with the appropriate VOSH Directive (e.g., VOSH Directive 02-051 *(or its successor)*, for private sector safety and health General Schedule inspections; VOSH Program Directive 09-004, or its successor, for private sector safety Construction Schedule inspections).

NOTE: Public Sector Program targeted inspections, targeted assistance visits, and on-site evaluations have a priority at least equal to that of private sector general industry programmed inspections.

(1) Establishment Lists. The Directors of Occupational Safety and Health Compliance will provide a series of establishment lists for use by VOSH in programming inspections. These lists may be provided electronically, when needed.

(2) Adjustments to Establishment Lists. Prior to use of the establishment lists provided by the Directors of Occupational Safety and Health Compliance for scheduling purposes, the Compliance Manager shall make appropriate additions and deletions as administrative guidelines permit.

E. Inspection Preparation.

1. General. A programmed inspection is generally a comprehensive inspection of the worksite, but may be limited as necessary in view of resource availability and

other compliance priorities. The conduct of effective inspections requires professional judgment in the identification, evaluation and accurate reporting of safety and health conditions and practices. Inspections may vary considerably in scope and detail, depending upon the circumstances in each case. (Low-hazard areas, such as office space, may be excluded from inspection without affecting the comprehensiveness of the inspection.)

2. Pre-Inspection Planning. It is most important that the CSHO spend an adequate amount of time preparing for each inspection. Due to the wide variety of industries and associated hazards likely to be encountered, pre-inspection preparation is essential. The following are guidelines for such preparation.

a. Schedule Planning. CSHOs shall plan individual schedules in advance in coordination with their Compliance Manager, reflecting the inspection priorities in B.3.a. of this chapter.

b. Background Review. Due to the wide variety of industries and associated hazards likely to be encountered, to ensure the conduct of a quality inspection, the CSHO, together with the Compliance Manager, if appropriate, shall carefully review:

(1) All pertinent information contained in the establishment file and appropriate reference sources to become knowledgeable in the potential hazards and industrial processes that may be encountered and shall identify the personal protective equipment necessary for protection against these anticipated hazards.

(2) Appropriate standards and sampling methods. Based on experience and information on file concerning the establishment, select the instruments that will be needed for the inspection and prepare them according to the standard methods of sampling and calibration.

c. Review of Previous Citations. During review of previous inspection case files, CSHOs shall note those citations that were issued and their abatement status as documented in the case file, especially those deemed high gravity serious and willful.

d. Coordination with VOSH Consultant. The CSHO shall determine whether an onsite consultation visit has recently been conducted or is in progress. If the employer has received a limited service onsite consultation